

REDACTED COPY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

FILED

2018 JUL 18 AM 11:06

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

CAUSE NO.:

BY

DEPUTY CLERK

v.

JORGE LUIS MONSIVAIS, JR.,
RUDY GOMEZ,
MARCIAL GOMEZ-SANTANA,
MARIELA REYNA,
JOHANA GOMEZ,

INDICTMENT

[VIO: COUNT ONE: 8 U.S.C. §
1324(a)(1)(A)(v)(I) & (B)(iv),
Conspiracy to Transport Illegal Aliens
Resulting in Death; COUNT TWO: 8
U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iii),
Conspiracy to Transport Illegal Aliens
Resulting in Serious Bodily Injury;
COUNT THREE 8 U.S.C. §
1324(a)(1)(A)(v)(I) & (B)(i), Conspiracy
to Harbor Illegal Aliens; COUNT
FOUR: 8 U.S.C. § 1324(a)(1)(A)(ii) &
(B)(iv), Illegal Alien Transportation
Resulting in Death; COUNT FIVE: 8
U.S.C. § 1324(a)(1)(A)(ii) & (B)(iii),
Illegal Alien Transportation Resulting in
Serious Bodily Injury; COUNT SIX: 8
U.S.C. § 1324(a)(1)(A)(iii) & (B)(i),
Harboring Illegal Aliens for Private
Financial Gain

DR 18 CR 1463

THE GRAND JURY CHARGES:

COUNT ONE

[8 U.S.C. § 1324(a)(1)(A)(ii), (v)(I) & (B)(iv)]

Beginning on or about June 15, 2018, and continuing through on or about June 17, 2018,

in the Western District of Texas, and elsewhere, Defendants,

JORGE LUIS MONSIVAIS, JR.,
RUDY GOMEZ,
MARCIAL GOMEZ-SANTANA,
MARIELA REYNA,
JOHANA GOMEZ,

together, and with others known and unknown to the Grand Jury, conspired, combined, and confederated to transport and move, and attempt to transport and move, aliens within the United States by means of transportation and otherwise, while knowing and in reckless disregard of the fact that the aliens had come to, entered, and remained in the United States, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(I);

During which and in relationship to this offense, Defendants' conduct resulted in the death of persons in violation of Title 8, United States Code, Section 1324(a)(1)(B)(iv).

COUNT TWO

[8 U.S.C. § 1324(a)(1)(A)(ii), (v)(I) & (B)(iii)]

Beginning on or about June 15, 2018, and continuing through on or about June 17, 2018, in the Western District of Texas, and elsewhere, Defendants,

JORGE LUIS MONSIVAIS, JR.,
RUDY GOMEZ,
MARCIAL GOMEZ-SANTANA,
MARIELA REYNA,
JOHANA GOMEZ,

together, and with others known and unknown to the Grand Jury, conspired, combined, and confederated to transport, and attempt to transport and move, aliens within the United States by means of transportation and otherwise, while knowing and in reckless disregard of the fact that the aliens had come to, entered, and remained in the United States, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(I);

During which and in relationship to this offense, Defendants' conduct caused serious bodily injury to and place in jeopardy the life of one or more persons in violation of Title 8, United States Code, Section 1324(a)(1)(B)(iii).

COUNT THREE

[8 U.S.C. § 1324(a)(1)(A)(iii), (v)(I) & (B)(i)]

Beginning on or about June 15, 2018, and continuing through on or about June 17, 2018,
in the Western District of Texas, and elsewhere, Defendants,

JORGE LUIS MONSIVAIS, JR.,
RUDY GOMEZ,
MARCIAL GOMEZ-SANTANA,
MARIELA REYNA,
JOHANA GOMEZ,

together, and with others known and unknown to the Grand Jury, conspired, combined, and confederated to conceal, harbor, and shield from detection, and attempt to conceal, harbor and shield from detection, in buildings and other places and by means of transportation, aliens who had come to, entered, and remained in the United States in violation of law, while knowing and in reckless disregard of the fact that the aliens had come to, entered, and remained in the United States in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii), (v)(I) and (B)(i).

COUNT FOUR

[8 U.S.C. § 1324(a)(1)(A)(ii) & (B)(iv)]

On or about June 17, 2018, in the Western District of Texas, Defendant,

JORGE LUIS MONSIVAIS, JR.,

knowing and in reckless disregard of the fact that the hereinafter named aliens had come to, entered and remained in the United States in violation of law, transported and moved, and attempted to transport and move, in furtherance of such violation of law, certain aliens, to-wit: J.C.R.E., F.R.C., F.E.D., J.M.A.S., and R.R.V., in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii), and such offense resulted in the death of one or more persons in violation of Title 8, United States Code, Section 1324(a)(1)(B)(iv).

COUNT FIVE

[8 U.S.C. § 1324(a)(1)(A)(ii) & (B)(iii)]

On or about June 17, 2018, in the Western District of Texas, Defendant,

JORGE LUIS MONSIVAIS, JR.,

knowing and in reckless disregard of the fact that the hereinafter named aliens had come to, entered and remained in the United States in violation of law, transported and moved, and attempted to transport and move, in furtherance of such violation of law, certain aliens, to-wit: G.P., S.R., D.F.G., E.M.A., in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii), and such offense caused serious bodily injury to and placed in jeopardy the life of one or more persons in violation of Title 8, United States Code, Section 1324(a)(1)(B)(iii).

COUNT SIX

[8 U.S.C. § 1324(a)(1)(A)(iii) & (B)(i)]

Beginning on or about June 15, 2018, and continuing through on or about June 17, 2018, in the Western District of Texas, and elsewhere, Defendants,

RUDY GOMEZ,
MARCIAL GOMEZ-SANTANA,
MARIELA REYNA,
JOHANA GOMEZ,

knowing and in reckless disregard of the fact that certain aliens, to-wit: L.A.E., I.E.E., R.E.M., J.S.M., E.T.P., had come to, entered and remained in the United States in violation of law, did conceal, harbor, and shield from detection or attempted to conceal, harbor, and shield from detection such alien in a residence located in Eagle Pass, Texas, for the purpose of commercial advantage and private financial gain, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and (B)(i).

A TRUE BILL

 FOREPERSON

JOHN F. BASH
United States Attorney

By: 

PAUL T. HARLE
AMY M. HAIL
Assistant United States Attorneys

DR 18 CR 1463

SEALED:

UNSEALED: XX

**PERSONAL DATA SHEET
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

COUNTY: DIMMIT

USAO #: 2018R13954

DATE: JULY 18, 2018

MAG. CT. #: DR18-5710M

AUSA: PAUL T. HARLE & AMY M. HAIL

DEFENDANT: JORGE LUIS MONSIVAIS, JR.

CITIZENSHIP: USA

INTERPRETER NEEDED: YES

LANGUAGE: SPANISH

DEFENSE ATTORNEY: JOSEPH ANTHONY CORDOVA

ADDRESS OF ATTORNEY: 2205 VETERANS BLVD. STE. A-2, DEL RIO, TEXAS 78840

DEFENDANT IS: DETAINED

DATE OF ARREST: JUNE 19, 2018

BENCH WARRANT NEEDED: NO

PROBATION OFFICER: N/A

NAME AND ADDRESS OF SURETY: N/A

YOUTH CORRECTIONS ACT APPLICABLE: NO

PROSECUTION BY: INDICTMENT

OFFENSE: (Code & Description): Count 1: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iv), Conspiracy to Transport Illegal Aliens Resulting in Death; Count 2: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iii), Conspiracy to Transport Illegal Aliens Resulting in Serious Bodily Injury and Placing Lives in Jeopardy; Count 3: 8 U.S.C. § 1324(a)(1)(v)(I) & (B)(i), Conspiracy to Harbor Illegal Aliens; Counts 4-5: 8 U.S.C. § 1324(a)(1)(ii) & (B)(iii), (iv), Illegal Alien Transportation Resulting in Death or Serious Bodily Injury.

OFFENSE IS: FELONY

MAXIMUM SENTENCE: Counts 1 & 4: Maximum of life imprisonment or death; Maximum \$250,000 fine; Maximum 5 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 U.S.C. §§3556, 3663, 3664; Counts 2 & 5: Maximum 20 years of imprisonment; Maximum \$250,000 fine; Maximum 3 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution:

18 U.S.C. §§3556, 3663, 3664; Count 3: Maximum 10 years of imprisonment; Maximum \$250,000 fine; Maximum 3 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 USC 3556, 3663, 3664.

PENALTY IS MANDATORY: YES & NO

REMARKS: See above

W/DT-CR-3

SEALED:

UNSEALED: XX

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WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

COUNTY: DIMMIT

USAO #: 2018R13954

DATE: JULY 18, 2018

MAG. CT. #: DR18-5710M

AUSA: PAUL T. HARLE & AMY M. HAIL

DEFENDANT: RUDY GOMEZ

CITIZENSHIP: USA

INTERPRETER NEEDED: YES

LANGUAGE: SPANISH

DEFENSE ATTORNEY: MICHAEL W. MCCRUM

ADDRESS OF ATTORNEY: 404 E RAMSEY RD., STE 102, SAN ANTONIO, TEXAS 78216

DEFENDANT IS: DETAINED

DATE OF ARREST: JUNE 19, 2018

BENCH WARRANT NEEDED: NO

PROBATION OFFICER: N/A

NAME AND ADDRESS OF SURETY: N/A

YOUTH CORRECTIONS ACT APPLICABLE: NO

PROSECUTION BY: INDICTMENT

OFFENSE: (Code & Description): Count 1: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iv), Conspiracy to Transport Illegal Aliens Resulting in Death; Count 2: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iii), Conspiracy to Transport Illegal Aliens Resulting in Serious Bodily Injury and Placing Lives in Jeopardy; Count 3: 8 U.S.C. § 1324(a)(1)(v)(I) & (B)(i), Conspiracy to Harbor Illegal Aliens; Count 6: 8 U.S.C. § 1324(a)(1)(iii) & (B)(i), Harboring Illegal Aliens for Private Financial Gain.

OFFENSE IS: FELONY

MAXIMUM SENTENCE: Count 1: Maximum of life imprisonment or death; Maximum \$250,000 fine; Maximum 5 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 U.S.C. §§3556, 3663, 3664; Count 2: Maximum 20 years of imprisonment; Maximum \$250,000 fine; Maximum 3 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 U.S.C. §§3556, 3663, 3664; Counts 3 & 6: Maximum 10 years of imprisonment; Maximum \$250,000

fine; Maximum 3 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 USC 3556, 3663, 3664.

PENALTY IS MANDATORY: YES & NO

REMARKS: See above

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WESTERN DISTRICT OF TEXAS
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COUNTY: DIMMIT

USAO #: 2018R13954

DATE: JULY 18, 2018

MAG. CT. #: DR18-5710M

AUSA: PAUL T. HARLE & AMY M. HAIL

DEFENDANT: MARCIAL GOMEZ-SANTANA

CITIZENSHIP: MEXICO

INTERPRETER NEEDED: NO

LANGUAGE: ENGLISH

DEFENSE ATTORNEY: GILBERT VILLARREAL

ADDRESS OF ATTORNEY: 1419 FRANKLIN STREET, HOUSTON, TEXAS 77002

DEFENDANT IS: DETAINED

DATE OF ARREST: JUNE 19, 2018

BENCH WARRANT NEEDED: NO

PROBATION OFFICER: N/A

NAME AND ADDRESS OF SURETY: N/A

YOUTH CORRECTIONS ACT APPLICABLE: NO

PROSECUTION BY: INDICTMENT

OFFENSE: (Code & Description): Count 1: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iv), Conspiracy to Transport Illegal Aliens Resulting in Death; Count 2: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iii), Conspiracy to Transport Illegal Aliens Resulting in Serious Bodily Injury and Placing Lives in Jeopardy; Count 3: 8 U.S.C. § 1324(a)(1)(v)(I) & (B)(i), Conspiracy to Harbor Illegal Aliens; Count 6: 8 U.S.C. § 1324(a)(1)(iii) & (B)(i), Harboring Illegal Aliens for Private Financial Gain.

OFFENSE IS: FELONY

MAXIMUM SENTENCE: Count 1: Maximum of life imprisonment or death; Maximum \$250,000 fine; Maximum 5 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 U.S.C. §§3556, 3663, 3664; Count 2: Maximum 20 years of imprisonment; Maximum \$250,000 fine; Maximum 3 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 U.S.C. §§3556, 3663, 3664; Counts 3 & 6: Maximum 10 years of imprisonment; Maximum \$250,000

fine; Maximum 3 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 USC 3556, 3663, 3664.

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DATE: JULY 18, 2018

MAG. CT. #: DR18-5710M

AUSA: PAUL T. HARLE & AMY M. HAIL

DEFENDANT: MARIELA REYNA

CITIZENSHIP: MEXICO

INTERPRETER NEEDED: NO

LANGUAGE: ENGLISH

DEFENSE ATTORNEY: GREGORY TORRES

ADDRESS OF ATTORNEY: 457 JEFFERSON, EAGLE PASS, TEXAS 78852

DEFENDANT IS: DETAINED

DATE OF ARREST: JUNE 19, 2018

BENCH WARRANT NEEDED: NO

PROBATION OFFICER: N/A

NAME AND ADDRESS OF SURETY: N/A

YOUTH CORRECTIONS ACT APPLICABLE: NO

PROSECUTION BY: INDICTMENT

OFFENSE: (Code & Description): Count 1: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iv), Conspiracy to Transport Illegal Aliens Resulting in Death; Count 2: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iii), Conspiracy to Transport Illegal Aliens Resulting in Serious Bodily Injury and Placing Lives in Jeopardy; Count 3: 8 U.S.C. § 1324(a)(1)(v)(I) & (B)(i), Conspiracy to Harbor Illegal Aliens; Count 6: 8 U.S.C. § 1324(a)(1)(iii) & (B)(i), Harboring Illegal Aliens for Private Financial Gain.

OFFENSE IS: FELONY

MAXIMUM SENTENCE: Count 1: Maximum of life imprisonment or death; Maximum \$250,000 fine; Maximum 5 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 U.S.C. §§3556, 3663, 3664; Count 2: Maximum 20 years of imprisonment; Maximum \$250,000 fine; Maximum 3 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 U.S.C. §§3556, 3663, 3664; Counts 3 & 6: Maximum 10 years of imprisonment; Maximum \$250,000

fine; Maximum 3 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 USC 3556, 3663, 3664.

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REMARKS: SEE ABOVE

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DATE: JULY 18, 2018

MAG. CT. #: DR18-5710M

AUSA: PAUL T. HARLE & AMY M. HAIL

DEFENDANT: JOHANA GOMEZ

CITIZENSHIP: USA

INTERPRETER NEEDED: NO

LANGUAGE: ENGLISH

DEFENSE ATTORNEY: ROGELIO MARTIN MUNOZ

ADDRESS OF ATTORNEY: 231 S. GETTY ST., UVALDE, TEXAS 78801

DEFENDANT IS: DETAINED

DATE OF ARREST: JUNE 19, 2018

BENCH WARRANT NEEDED: NO

PROBATION OFFICER: N/A

NAME AND ADDRESS OF SURETY: N/A

YOUTH CORRECTIONS ACT APPLICABLE: NO

PROSECUTION BY: INDICTMENT

OFFENSE: (Code & Description): Count 1: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iv), Conspiracy to Transport Illegal Aliens Resulting in Death; Count 2: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iii), Conspiracy to Transport Illegal Aliens Resulting in Serious Bodily Injury and Placing Lives in Jeopardy; Count 3: 8 U.S.C. § 1324(a)(1)(v)(I) & (B)(i), Conspiracy to Harbor Illegal Aliens; Count 6: 8 U.S.C. § 1324(a)(1)(iii) & (B)(i), Harboring Illegal Aliens for Private Financial Gain.

OFFENSE IS: FELONY

MAXIMUM SENTENCE: Count 1: Maximum of life imprisonment or death; Maximum \$250,000 fine; Maximum 5 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 U.S.C. §§3556, 3663, 3664; Count 2: Maximum 20 years of imprisonment; Maximum \$250,000 fine; Maximum 3 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 U.S.C. §§3556, 3663, 3664; Counts 3 & 6: Maximum 10 years of imprisonment; Maximum \$250,000

fine; Maximum 3 years of supervised release; \$100 mandatory special assessment; \$5,000 special assessment non-indigent; Restitution: 18 USC 3556, 3663, 3664.

PENALTY IS MANDATORY: YES & NO

REMARKS: SEE ABOVE

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